



UNITED STATES BANKRUPTCY COURT Western		DISTRICT OF New York	Voluntary Petition
Name of Debtor (If individual, enter Last, First, Middle): Herring, Marcus J.		Name of Joint Debtor (Spouse) (Last, First, Middle):	
All Other Names used by debtor in the last 6 years (include married, maiden and trade names): None		All Other Names used by the joint debtor in the last 6 years (include married, maiden and trade names):	
Last four digits of Soc. Sec.No/Complete EIN or other Tax I.D. No. (If more than one, state all): 8763		Last four digits of Soc. Sec.No/Complete EIN or other Tax I.D. No. (If more than one, state all):	
Street Address of Debtor (No. and street, city, state, zip): 36 Nicholson St. Buffalo, NY 14214		Street Address of Joint Debtor (No. and Street, City, State, Zip Code):	
County of Residence or of the Principal Place of Business: Erie		County of Residence or of the Principal Place of Business:	
Mailing Address of Debtor (If different from street address)		Mailing Address of Joint Debtor (If different from street address):	
Location of Principal Assets of Business Debtor (If different from addresses listed above)			
Information Regarding the Debtor (Check the Applicable Boxes)			
Venue: (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner or partnership pending in this District.			
Type of Debtor (Check all applicable box) <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other		Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304-Case ancillary to foreign proceeding	
Nature of Debts (Check one box) <input checked="" type="checkbox"/> Consumer/Non-business <input type="checkbox"/> Business		Filing Fee (Check one box) <input checked="" type="checkbox"/> Filing fee attached. <input type="checkbox"/> Filing fee to be paid in installments. (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No.3.	
Chapter 11, Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)			
Statistical/Administrative Information (Estimates Only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.			THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors 1-15 16-49 50-99 100-199 200-999 1000-over <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
Estimated Assets (Check one box) \$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million More than \$100 million <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
Estimated Debts (Check one box) \$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million More than \$100 million <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			



Official Form B1 P2, 12-03

Voluntary Petition (This page must be completed and filed in every case)		Name of Debtor(s): Herring, Marcus J.	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)			
Location Where Filed: None		Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: None		Case Number:	Date Filed:
District:		Relationship:	Judge:
Signatures			
Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. X <u>/s/ Marcus J. Herring</u> Signature of Debtor X _____ Signature of Joint Debtor _____ Telephone Number (if not represented by attorney) Date: <u>7/1/04</u>		EXHIBIT C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No Signature(s) of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition. X _____ Signature of Authorized Individual _____ Print or Type Name of Authorized Individual _____ Title of Authorized Individual by Debtor to File this Petition Date: _____ Signature of Non-Attorney Petition Preparer I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. §110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. _____ Printed Name of Bankruptcy Petition Preparer _____ Social Security Number (Required by 11 U.S.C. 110(c)) _____ Address _____ Names and Social Security numbers of all other Individuals who prepared or assisted in preparing this document: If more than one person prepared this document, attach additional signed sheets conforming to the appropriate official form for each person. X _____ Signature of Bankruptcy Petition Preparer Date: _____ A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11U.S.C. § 110; 18 U.S.C. §156.	
Signature of Attorney X <u>/s/ Paul S. Walier</u> Signature of Attorney for Debtor(s) <u>Paul S. Walier, Esq.</u> Printed Name of Attorney for Debtor(s) <u>Paul Walier Legal Services</u> Firm Name <u>1369 Abbott Road</u> Address <u>Lackawanna, NY 14218</u> <u>716-823-1000</u> Telephone Number Date: <u>7/1/04</u>			
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.			
Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. X <u>/s/ Paul S. Walier</u> <u>7/1/04</u> Signature of Attorney for Debtor(s) Date			

**UNITED STATES BANKRUPTCY COURT** Western**DISTRICT OF** New York

In re: Herring, Marcus J.

Debtor(s) Case No.

See summary below for the list of schedules. Include Unsworn Declaration under Penalty of Perjury at the end.

GENERAL INSTRUCTIONS: Schedules D, E and F have been designed for the listing of each claim only once. Even when a claim is secured only in part, or entitled to priority only in part, it still should be listed only once. A claim which is secured in whole or in part should be listed on Schedule D only, and a claim which is entitled to priority in whole or in part should be listed in Schedule E only. Do not list the same claim twice. If a creditor has more than one claim, such as claims arising from separate transactions, each claim should be scheduled separately.

Review the specific instructions for each schedule before completing the schedule.

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

Name of Schedule	Attached (Yes/No)	Number of Sheets	Amounts Scheduled		
			Assets	Liabilities	Other
A - Real Property	x	1	63100.00		
B - Personal Property	x	5	52375.00		
C - Property Claimed as Exempt	x	2			
D - Creditors Holding Secured Claims	x	1		113900.00	
E - Creditors Holding Unsecured Priority Claims	x	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	x	2		25408.00	
G - Executory Contracts and Unexpired Leases	x	1			
H - Codebtors	x	1			
I - Current Income of Individual Debtor(s)	x	1			3260.00
J - Current Expenditures of Individual Debtor(s)	x	1			3278.00
Total Number of Sheets of All Schedules		16			
Total Assets			115475.00		
Total Liabilities				139308.00	



In re:Herring, Marcus J.

Debtor(s) Case No.

(if known)

SCHEDULE A - REAL PROPERTY

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
Residential property located at 36 Nicholson Street, Buffalo, New York	Sole owner		63,100.00	100,900.00
Total ->			\$63,100.00	(Report also on Summary of Schedules)



In re: Herring, Marcus J.

Debtor(s) Case No.

(if known)

SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	W H J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
01 Cash on hand	x			
02 Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Charter One Bank checking account		0.00
		M & T Bank checking account		0.00
		HSBC Bank savings account		0.00
		M & T Bank Certificate of Deposit, joint names with mother; money belongs to mother but Debtor's name is also on account.		3,800.00
03 Security Deposits with public utilities, telephone companies, landlords and others.	x			
04 Household goods and furnishings including audio, video, and computer equipment.		General household goods located at residence		2,000.00
(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules) Total ->				5,800.00

Continuation sheets attached



In re: Herring, Marcus J.

Debtor(s) Case No.

(if known)

SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	W H J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
05 Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.	x			
06 Wearing apparel.		General clothing located at residence		500.00
07 Furs and jewelry.	x			
08 Firearms and sports, photographic and other hobby equipment.	x			
09 Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	x			
10 Annuities. Itemize and name each issuer.	x			
11 Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.		Deferred Compensation		30,000.00
		NYS Retirement		5,000.00
(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules) Total ->				41,300.00

Continuation sheets attached



In re: Herring, Marcus J.

Debtor(s) Case No.

(if known)

SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	W H J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
12 Stock and interest in incorporated and unincorporated businesses. Itemize.	x			
13 Interest in partnerships or joint ventures. Itemize.	x			
14 Government and corporate bonds and other negotiable and non-negotiable instruments.	x			
15 Accounts receivable.		Small claims judgment; uncollectable		1,000.00
16 Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
17 Other liquidated debts owing debtor including tax refunds. Give particulars.		Received \$4667 from 2003 Federal and State Income Tax Refund; has nothing left		0.00
(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules) Total ->				42,300.00

Continuation sheets attached



In re: Herring, Marcus J.

Debtor(s) Case No.

(if known)

SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	W H J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
18 Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	x			
19 Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy or trust.	x			
20 Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor and rights to setoff claims. Give estimated value of each.	x			
21 Patents, copyrights, and other general intellectual property. Give particulars.	x			
22 Licenses, franchises, and other general intangible. Give particulars.	x			
(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules) Total ->				42,300.00

Continuation sheets attached



In re: Herring, Marcus J.

Debtor(s) Case No.

(if known)

SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	W H J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
23 Automobiles, trucks, trailers, and other vehicles and accessories.		2000 Chrysler 300 M		10,075.00
24 Boats, motors, and accessories.	x			
25 Aircraft and accessories.	x			
26 Office equipment, furnishings, and supplies.	x			
27 Machinery, fixtures, equipment, and supplies used in business.	x			
28 Inventory.	x			
29 Animals.	x			
30 Crops-growing or harvested. Give particulars.	x			
31 Farming equipment and implements.	x			
32 Farm supplies, chemicals and feed.	x			
33 Other personal property of any kind not already listed. Itemize.	x			
(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules) Total ->				52,375.00

Continuation sheets attached



In re: Herring, Marcus J.

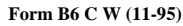
Debtor(s) Case No.

(if known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**Debtor elects the exemptions to which debtor is entitled under (Check one box).**

- ☐ 11 U.S.C. § 522(b)(1): Exceptions provided in U.S.C. § 522(d). Note: These exceptions are available only in certain states.
- ☒ 11 U.S.C. § 522(b)(2): Exceptions available under applicable nonbankruptcy federal laws, state or local law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
Charter One Bank checking account	N.Y. Debt. & Cred. Law § 283 Bank Deposits	0.00	0.00
M & T Bank checking account	N.Y. Debt. & Cred. Law § 283 Bank Deposits	0.00	0.00
HSBC Bank savings account	N.Y. Debt. & Cred. Law § 283 Bank Deposits	0.00	0.00
M & T Bank Certificate of Deposit, joint names with mother; money belongs to mother but Debtor's name is also on account.	N.Y. Debt. & Cred. Law § 283 Bank Deposits	2,500.00	3,800.00
General household goods located at residence	CPLR § 5205(a)(5) Wearing Apparel, Household Furniture, Refrigerator, Radio, TV, Crockery, Tableware and Cooking Utensils.	2,000.00	2,000.00
General clothing located at residence	CPLR § 5205(a)(5) Wearing Apparel, Household Furniture, Refrigerator, Radio, TV, Crockery, Tableware and Cooking Utensils.	500.00	500.00
Deferred Compensation	N.Y. Debt. & Cred. Law § 282(iii)(2)(e) Stock Bonus, Pension, Profit-Sharing or Similar Plan or Contract	30,000.00	30,000.00





Form B6 D W (12/03)

In re: Herring, Marcus J.

Debtor(s) Case No.

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER (See Instructions)	CO D E B T	H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT OF LIEN	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION IF ANY	C U D *
A/C # 641717005678465 Beneficial P. O. Box 17574 Baltimore, MD 21297-1574			10/02 Third mortgage on residence	VALUE \$ 63,100.00	29,000.00	
A/C # Unknown Chase Automotive P. O. Box 15700 Wilmington, DE 19886-5700			01/04 Car loan	VALUE \$ 10,075.00	13,000.00	
A/C # 1062721321 Chase Manhattan Mortgage 3415 Vision Dr. Columbus, OH 43219-6009			09/98 Mortgage on residence	VALUE \$ 63,100.00	51,900.00	
A/C # 673200560104018 CitiFinancial 5110 Main St. Williamsville, NY 14221-52			05/00 Secind mortgage on residence	VALUE \$ 63,100.00	13,100.00	
A/C # 7824149300065046 HSBC P. O. Box 9 Buffalo, NY 14240			05/00 Fourth mortgage on residence	VALUE \$ 63,100.00	6,900.00	
A/C #			VALUE \$			
A/C #			VALUE \$			

Subtotal ->
(Total of this page)

113,900.00

Total ->

113,900.00

Continuation Sheets attached. (use only on last page of the completed Schedule D.)

*If contingent, enter C; if unliquidated, enter U; if disputed, enter D.

(Report total also on Summary of Schedules)



In re: Herring, Marcus J.

Debtor(s) Case No.

(if known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.**TYPE OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

- ☐ **Extensions of credit in an involuntary case**
Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).
- ☐ **Wages, salaries, and commissions**
Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees, up to a maximum of \$4925 per employee, earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).
- ☐ **Contributions to employee benefit plans**
Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, to the extent provided in 11 U.S.C. § 507(a)(4).
- ☐ **Certain farmers and fishermen**
Claims of certain farmers and fishermen, up to a maximum of \$4925 per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).
- ☐ **Deposits by individuals**
Claims of individuals up to a maximum of \$2225 for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).
- ☐ **Alimony, Maintenance, or Support**
Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in U.S.C. § 507(a)(7).
- ☐ **Taxes and Certain Other Debts Owed to Governmental Units**
Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(7).
- ☐ **Commitments to Maintain the Capital of an Insured Depository Institution**
Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(8).

*Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE (See Instructions)	CO DE B T	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	TOTAL AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	C U D *

Subtotal ->
(Total of this page)

Total ->
(use only on last page of the completed Schedule E.)

☒ Continuation Sheets attached.

*If contingent, enter C; if unliquidated, enter U; if disputed, enter D. (Report total also on Summary of Schedules)

Debtor Herring, Marcus J.
In re:

Case No.

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER (See Instructions)	C	H U S B A N D W I F E	C O M M U N I T Y	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C	U N L I	D I S P U T E D	AMOUNT OF CLAIM
4791060102719894 Aspire P. O. Box 23007 Columbus, GA 31902-8783				05/99 Credit debt				2,366.00
5424180452457846 CitiBank P. O. Box 8111 S. Hackensack, NJ 07606-8				05/01 Credit debt				4,000.00
5424180388605518 CitiBank P. O. Box 8111 S. Hackensack, NJ 07606-8				05/01 Credit debt				6,800.00
6011002080249097 Discover Bank P. O. Box 15251 Wilmington, DE 19886-5251				05/99 Credit debt				3,635.00
4610078478981095 First Premier P. O. Box 5524 Sioux Falls, SD 57117-552				10/02 Credit debt				319.00
6012501700198880 GE Capital Cons. Dept. 008 Palatine, IL 60055-0008				08/99 Credit debt				600.00
Subtotal								\$ 17,720.00
Total								\$ 17,720.00

X continuation sheets attached.

Debtor Herring, Marcus J.
In re:

Case No.

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER (See Instructions)	C	H U S E H O U S E H O U S E H O U S E	C O M M U N I T Y	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C	U N L I	D I S P U T E D	AMOUNT OF CLAIM
5407915005595936 Household P. O. Box 88000 Baltimore, MD 21288-0001				12/02 Credit debt				1,345.00
4465681200530159 Providian Bank P. O. Box 660548 Dallas, TX 75266-0548				05/99 Credit debt				5,728.00
925706354490 Retaielrs National Bank P. O. Box 59231 Minneapolis, MN 55459-023				12/99 Credit debt				545.00
47021722633 Retrieval Masters Credito Bureau P. O. Box 1234 Elmsford, NY 10523-0934				Unknown date-Collection account				70.00
Subtotal								\$ 7,688.00
Total								\$ 25,408.00

_____ continuation sheets attached.



Form B6 G W (11-95)

In re:Herring, Marcus J.

Debtor(s) Case No.

(if known)

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

☒ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY, STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.



In Herring, Marcus J.
re:

Debtor(s) Case No.

SCHEDULE H - CODEBTORS

☒ Check this box if debtor has no codebtors

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR



In Herring, Marcus J.
re:

Debtor(s) Case No.

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

DEPENDENTS OF DEBTOR AND SPOUSE		
Debtor's Marital Status Single	RELATIONSHIP Child	AGE 5
Employment	DEBTOR	SPOUSE
Occupation	Fireman	2nd job; Driver
Name of Employer	City of Buffalo	Laidlaw
How long employed	8 years	
Address of Employer City Hall Buffalo, NY	45 Anderson Rd. Cheektowaga, NY 14225	

Income: (Estimate of average monthly income) _____

Current monthly gross wages, salary, and commissions (pro rate if not paid monthly.) \$ 4225.00 \$ 460.00
Estimate monthly overtime _____

SUBTOTAL \$ 4225.00 \$ 460.00

LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security 945.00 40.00
b. Insurance 25.00
c. Union dues 50.00 25.00
d. Other (Specify) _____

Deferred Compensation 280.00
NYS Retirement 60.00

SUBTOTAL OF PAYROLL DEDUCTIONS \$ 1360.00 \$ 65.00

TOTAL NET MONTHLY TAKE HOME PAY \$ 2865.00 \$ 395.00

Regular income from operation of business or profession or farm

(attach detailed statement) _____

Income from real property _____

Interest and dividends _____

Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above. _____

Social security or other government assistance (Specify) _____

Pension or retirement income _____

Other monthly income (Specify) _____

TOTAL MONTHLY INCOME \$ 2865.00 \$ 395.00

TOTAL COMBINED MONTHLY INCOME \$ 3260.00 (Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:



Form B6 J W (11-95)

In Herring, Marcus J.
re:

Debtor(s) Case No.

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home)	\$	610.00
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Is property insurance included? <input checked="" type="checkbox"/> <input type="checkbox"/>	
Utilities Electricity and Heating Fuel		150.00
Water and Sewer		30.00
Telephone		60.00
Other		
Cable		45.00
Internet		20.00
Home maintenance (repairs and upkeep)		15.00
Food		300.00
Clothing		10.00
Laundry and dry cleaning		20.00
Medical and dental expenses		40.00
Transportation (not including car payments)		200.00
Recreation, clubs and entertainment, newspapers, magazines, etc.		25.00
Charitable contributions		25.00
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's		
Life		
Health		
Auto		210.00
Other		

Taxes (not deducted from wages or included in home mortgage payments)
(Specify)

Installment payments: (In chapter 12 and 13 cases, do not list payments to be included in the plan)	\$	
Auto		295.00
Other		
Second mortgage		252.00
Third mortgage		471.00
Fourth mortgage		100.00

Alimony, maintenance, and support paid to others		
Payments for support of additional dependents not living at your home		
Regular expenses from operation of business, profession, or farm (attach detailed statement)		
Other Daycare		400.00

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$	3278.00
--	----	---------

(FOR CHAPTER 12 AND 13 DEBTORS ONLY)

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income		
B. Total projected monthly expenses		
C. Excess income (A minus B)	\$	0.00
D. Total amount to be paid into plan each	\$	
(Interval)		



Form B6 Cont. W (12-03)

In re: Herring, Marcus J.

Debtor(s) Case No.

DECLARATION CONCERNING DEBTOR'S SCHEDULES**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 17 sheets, and that they are true and correct to the best of my knowledge, information, and belief.
(Total shown on summary page plus 1.)

Date 7/1/04

Signature/s/ Marcus J. Herring

Herring, Marcus J.

Debtor

Date

Signature

(Joint Debtor, if any)

(if joint case, both spouses must sign.)

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security Number

(Required by 11U.S.C. § 110(c).)

Address

Names and Social Security numbers of all other Individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets confirming to the appropriate Official Form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both.

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the _____ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the _____ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 17 sheets, and that they are true and correct to the best of my knowledge, information, and belief.
(Total shown on summary page plus 1.)

Date

Signature

(Print or type name of individual signing on behalf of debtor.)

(An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.)

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.



United States Bankruptcy Court

NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family farmer (\$200 filing fee plus \$39 administrative fee)

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises

I, the debtor, affirm that I have read this notice.

Date

/s/ Marcus J. Herring
Signature of Debtor

Case Number

**STATEMENT OF FINANCIAL AFFAIRS****UNITED STATES BANKRUPTCY COURT**

Western DISTRICT OF New York

In re: Herring, Marcus J.

Debtor(s) Case No.

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-18 are to be completed by all debtors. Debtors that are or have been in business with in the last 6 years, as defined below, also must complete Questions 19-25. If the answer to any question is "None" or the question is not applicable, mark the box labeled "None". If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or person in control of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates or the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101(30).

NONE

01 INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCES
62000.00	2002 City of Buffalo & Laidlaw
68000.00	2003 City of Buffalo & Laidlaw
28000.00	2004 YTD City of Buffalo & Laidlaw

NONE
X

02 INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF BUSINESS

State the amount of income received by the debtor other than employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X

03A PAYMENTS TO CREDITORS

List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT STILL OWNING	NAME AND ADDRESS OF CREDITOR	PAYMENT DATES	AMOUNT PAID
51900	Chase Manahattan Mortgage 3145 Vision Dr. Columbus, OH 43219	Monthly	610
13100	CitiFinancial 5110 Main St. Williamsville, NY 14221	Monthly	252
29000	Beneficial P. O. Box 17574 Baltimore, MD 21297	Monthly	471
6900	HSBC Bank P. O. Box 9 Buffalo, NY 14240	Monthly	100
13000	Chase Automotive P. O. Box 15700 Wilmington, DE 19886	Monthly	295

NONE
X

03B PAYMENTS TO CREDITORS

List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X 04A SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTION, GARNISHMENTS AND ATTACHMENTS

List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X 04B SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTION, GARNISHMENTS AND ATTACHMENTS

Describe all property that has been attached, garnished, or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X 05 REPOSSESSIONS, FORECLOSURES, AND RETURNS

List all property that has been repossessed by a creditor, sold at foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X 06A ASSIGNMENTS AND RECEIVERSHIPS

Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X 06B ASSIGNMENTS AND RECEIVERSHIPS

List all property which has been in the hands of a custodian, receiver, or court appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X

07 GIFTS

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X

08 LOSSES

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
X

09 PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NONE
X

10 OTHER TRANSFERS

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
|

11 CLOSED FINANCIAL ACCOUNTS

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, saving, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE AND LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
M & T Bank Bailey/Kensington Buffalo, NY 14215	Checkuing account, \$0	\$0; closed on 11/28/03

NONE
☒ I

12 SAFE DEPOSIT BOX

List each safe deposit or other box or depository in which the debt has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
☒ I

13 SETOFFS

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE
☒ I

14 PROPERTY HELD FOR ANOTHER PERSON

List all property owned by another person that the debtor holds or controls.

NONE
☒ I

15 PRIOR ADDRESS OF DEBTOR

If the debtor has moved within two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

NONE
☒ I

16 SPOUSES AND FORMER SPOUSES

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the six-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides with the debtor in the community property state.

NONE
☒ X

17A ENVIRONMENTAL INFORMATION

List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NONE
☒ X

17B ENVIRONMENTAL INFORMATION

List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NONE
☒ X

17C ENVIRONMENTAL INFORMATION

List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NONE

☒ X

18A NATURE, LOCATION, AND NAME OF BUSINESS

If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

NONE
X

18B NATURE, LOCATION, AND NAME OF BUSINESS

Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. Sec. 101.

NONE
X

19A BOOKS, RECORDS, AND FINANCIAL STATEMENTS

List all bookkeepers and accountants who within the six years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NONE
X

19B BOOKS, RECORDS, AND FINANCIAL STATEMENTS

List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NONE
X

19C BOOKS, RECORDS, AND FINANCIAL STATEMENTS

List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NONE
X

19D BOOKS, RECORDS, AND FINANCIAL STATEMENTS

List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within two years preceding the commencement of this case by the debtor.

NONE
X

20A INVENTORIES

List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

NONE
X

20B INVENTORIES

List the name and address of the person having possession of the records of each of the two inventories report in a., above.

NONE
X

21A CURRENT PARTNERS, OFFICERS, DIRECTORS AND SHAREHOLDERS

If the debtor is a partnership, list the nature and percentage of the partnership interest of each member of the partnership.

NONE
X

21B CURRENT PARTNERS, OFFICERS, DIRECTORS AND SHAREHOLDERS

If debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

NONE
X

22A FORMER PARTNERS, OFFICERS, DIRECTORS AND SHAREHOLDERS

If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

NONE
X

22B FORMER PARTNERS, OFFICERS, DIRECTORS AND SHAREHOLDERS

If the debtor is a corporation, list all officers or directors whose relationship with the company terminated within one year immediately preceding the commencement of this case.

NONE
X

23 WITHDRAWALS FROM A PARTNERSHIP OR DISTRIBUTIONS BY A CORPORATION

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NONE
X

24 TAX CONSOLIDATION GROUP

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the six-year period immediately preceding the commencement of this case.

NONE
X

25 PENSION FUNDS

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the six-year period immediately preceding the commencement of this case.



Unsworn Declaration SFA
W (12/03)

In re: Herring, Marcus J.

Debtor(s) Case No. (if known)

DECLARATION CONCERNING DEBTOR'S STATEMENT OF FINANCIAL AFFAIRS

DECLARATION UNDER PENALTY OF PERJURY

(If completed by an individual or individual and spouse) I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 7/1/04

Signature /s/ Marcus J. Herring
Herring, Marcus J. Debtor

Date

Signature _____
(Joint Debtor, if any)
(if joint case, both spouses must sign.)

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security Number
(Required by U.S.C. § 110(c).)

Address

Names and Social Security numbers of all other Individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets confirming to the appropriate Official Form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both.

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the _____ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the _____ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing statement of financial affairs, consisting of _____ sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Continuation sheets attached

Date

Signature _____

(Print or type name of individual signing on behalf of debtor.)

(An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.)

PENALTY FOR MAKING A FALSE STATEMENT OR CONCEALING PROPERTY
Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.



Form B8 (Official Form8) (12/03)

Form 8. INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

UNITED STATES BANKRUPTCY COURT Western

DISTRICT OF New York

In Herring, Marcus J.
re:Debtor(s) Case No.
Chapter 7

(if known)

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

- I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
- I intend to do the following with respect to the property of the estate which secures those consumer debts:

*a. Property to Be Surrendered.***Description of property****Creditor's name**

None

*b. Property to Be Retained.**[Check any applicable statement.]*

Description of Property	Creditor's name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)
2000 Chrysler 300 M	Chase Automotive	X		X
36 Nicholson St. Buffalo, NY 14214	Chase Manahattan Mortgage			X
	CitiFinancial			X
	Beneficial			X
	HSBC Bank			X

Date:7/1/04

/s/ Marcus J. Herring

Signature of Debtor

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (SEE 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.
(Required by 11U.S.C. § 110(c))

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.



3085W Stat of Comp.:
Rule 2016(b) (12-95)

UNITED STATES BANKRUPTCY COURT

Western DISTRICT OF New York

In Herring, Marcus J.
re:

Debtor(s) Case No. (if known)

STATEMENT

Pursuant to Rule 2016(b)

The undersigned, pursuant to Rule 2016(b) Bankruptcy Rules, states that:

- (1) The undersigned is the attorney for the debtor(s) in this Case.
- (2) The compensation paid or agreed to be paid by the debtor(s) to the undersigned is:

(a) for legal services rendered or to be rendered in contemplation of and in connection with this case	\$ 570.00
(b) prior to filing this statement, debtor(s) have paid	\$ 570.00
(c) the unpaid balance due and payable is	\$ 0.00
- (3) \$ 209.00 of the filing fee in this case has been paid.
- (4) The services rendered or to be rendered include the following:
 - (a) analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
 - (b) preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
 - (c) representation of the debtor(s) at the meeting of creditors.
- (5) The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and
- (6) The source of payments made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and
- (7) The undersigned has received no transfer, assignment or pledge of property except the following for the value stated:
- (8) The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:

Dated: 7/1/04

/s/ Paul S. Walier
Respectfully submitted, Paul S. Walier, Esq. Attorney for Petitioner

Attorney's name and address

Paul Walier Legal Svcs., 1369 Abbott Rd., Lackawanna, NY 14218